

Senate Bill No. 499

Passed the Senate August 29, 2005

Secretary of the Senate

Passed the Assembly August 22, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 1255.25 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 499, Alarcon. Hospitals: emergency medical services elimination.

Existing law generally requires any hospital that provides emergency medical services to, not later than 90 days prior to a planned reduction or elimination of the level of emergency medical services, provide notice of the intended change to the State Department of Health Services, the local government entity in charge of providing health services, and all health care service plans or other entities under contract with the hospital to provide services to enrollees of the plan or other entity. Violation of this requirement is a crime under existing law.

This bill would require a hospital, prior to issuing notice to the department of a planned elimination of emergency medical services or closure of the hospital, to prepare a public health and safety report, to submit that report to the county supervisors and the local emergency medical services agency, and to make the report available to the public. By changing the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 1255.25 is added to the Health and Safety Code, to read:

1255.25. (a) Prior to issuing notice to the department pursuant to Section 1255.1 of a planned elimination of emergency medical services or closure of the hospital, a hospital shall prepare a public health and safety report.

(b) The hospital shall submit the report to the county supervisors and the local emergency medical services agency, and make the report available to the public.

(c) The report shall include, but not be limited to, the following information:

(1) The estimated annual number of patients that the hospital or unit services.

(2) The emergency and trauma care service capacity and utilization.

(3) The demographics of the patient population.

(4) The hospital's income statement, balance sheet, and cashflow statement for the hospital's most recent three fiscal years, prepared according to generally accepted accounting and auditing principles (GAAP).

(5) All offers received from entities wishing to purchase the facility for the purpose of continuing to operate it as an acute care facility.

(6) The number of negative pressure isolation rooms that the hospital or unit has.

(7) The hospital's, or unit's role in the community's disaster preparedness plan.

(8) The number of displaced employees due to service elimination or hospital closure, including the occupation of each.

(9) The number of nursing students currently working in the hospital or unit.

(10) The number of staffed beds.

(11) The annual number of patient days based on the most recent year's admissions and discharges.

(12) The number of residency programs within the hospital whose participants help staff the emergency department.

(d) A county may use the results of the public health and safety report in preparing the county's impact evaluation pursuant to Section 1300.

(e) A hospital shall not seek approval for elimination of emergency medical services prior to submitting the report as required by subdivision (b).

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or

infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2005

Governor